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PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

Civil Action Number 4:24-CV-00051-M-RN

Cynthia B. Avens

(Plaintiff)

Faris C. Dixon, Jr., District Attorney
Pitt County Memorial Hospital, Inc.
Dr. Karen Kelly, Medical Examiner
John/Jane Doe's
(Defendants)

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)
) MOTION REQUESTING
) LEAVE TO REPLY
) TO DEFENDANTS'
) RESPONSES TO
) PLAINTIFF'S DE 89
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**MOTION REQUESTING LEAVE TO FILE A REPLY TO DEFENDANTS'
RESPONSES**

Plaintiff, Cynthia Avens, proceeding pro se, respectfully submits this motion requesting leave to file a reply to the responses submitted by the defendants regarding Avens's objection to the Court's Memorandum and Recommendation (M&R) (DE 87).

In support of this motion, Plaintiff states as follows:

1. **Defendants' responses introduce arguments beyond the scope of the M&R,** raising legal and factual issues that were not previously considered by the

Magistrate Judge. Avens was not required to preemptively address matters that were not part of the M&R.

2. **Defendants' responses also mischaracterize Avens's objections**, and a reply is necessary to ensure a complete and accurate record for review.
3. Granting this motion would allow the Court to consider all relevant issues and prevent an incomplete or one-sided record.

For these reasons, Avens respectfully requests that this Court grant leave to file a reply.

Respectfully submitted 2/27/2025,

/s/ Cynthia B. Avens

Cynthia B. Avens

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Pro Se Litigant

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2025, the Plaintiff's motion requesting leave was shipped by UPS to the U.S. District Court. Signature Required. Estimated delivery date is 2/28/25. Tracking # 1Z9H79KT4224931242. Upon docketing, the CM/ECF system will send electronic notification of such filing to the defendants' counsel. Respectfully submitted 2/27/2025,

/s/ Cynthia B. Avens

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